Case 1:08-cv-04458 Document	1 Filed 08/07/2008 Page 1 6 7
IN THE UNITED STATI NORTHERN DISTR	ICT OF ILLINOIS
United States of America ex rel.	CLERK U.S. DIST DOBPUS
Richard Neville K.78239 (Full name and prison number) (Include name under which convicted)	CLERK U.S. DISTRICT COUNT
PETITIONER)	CASE NO: (Supplied by Clerk of this Court)
Roger E. Walker, Jr.; Jorge Montes; (Warden, Superintendent, or authorized person having custody of petitioner) RESPONDENT, and	08CV4458 JUDGE MANNING MAGISTRATE JUDGE DENLOW
(Fill in the following blank only if judgment) attacked imposes a sentence to commence in the future)	
ATTORNEY GENERAL OF THE STATE OF)	Case Number of State Court Conviction:
(State where judgment entered)	#99ck3399-99CR3400
PETITION FOR WRIT OF HABEAS COR 1. Name and location of court where conviction entered: Conviction. He has completed his Sentence of 2. Date of judgment of conviction: See Attached Memol. 3. Offense(s) of which petitioner was convicted (list all court) 4. Sentence(s) imposed: 5. What was your plea? (Check one) (A) Not guilt (B) Guilty	Petitioner does not challenge his und respondents refuse to release him. and um of Law. and with indicament numbers, it known)
(C) Noic con If you pleaded guilty to one count or indictment and not	

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Kind of trial: (Check one):	Jury ()	Judge only	() .	•	•
Did you testify at trial?	YBS ()	NO ()		
Did you appeal from the co	nviction or the sentence in	nposed? YES () NO ()	•	
(A) If you appealed, give t	tie			•	
(1) Name of court:					
(2) Result:		_/_/			•
(3) Date of ruling:		////		•	
(4) Issues raised:	/·/				
		<u> </u>	<u> </u>		
		•			
(B) If you did not appeal,	explain briefly why not:				
		t state court? YB	S() NO	()	
Did you appeal, or sook leav		t state court? YE	S() NO	()	
Did you appeal, or sook leav		t state court? YE	S() NO	()	
Did you appeal, or seek leav		t state court? YE	s() NO	()	
Did you appeal, or seek lear (A) If yes, give the (1) Result		t state count? YE	s() NO	()	
Did you appeal, or seek lear (A) If yes, give the (1) Result (2) Date of ruling:		t state court? YE	s() NO	()	
Did you appeal, or seek lear (A) If yes, give the (1) Result (2) Date of ruling:	ve to appeal, to the highest	t state court? YE	5() NO	()	

PART II - COLLATERAL PROCEEDINGS

1. With respect to this conviction or sentence, have you filed a post-conviction petition in state court?

YBS() NO()

With respect to each post-conviction petition give the following information (use additional sheets if necessary):

- Name of court:
- Date of filing: В.
- C. Issues raised:
- D. Did you receive an evidentiary hearing on your petition? YES () NO ()
- What was the court's ruling?
- F. Date of court's ruling:
- Did you appeal from the ruling on your petition?
- YES () NO ()
- H. (a) If yes, (1) what was the result?
 - (2) date of decision:
 - (b) If no, explain briefly why not:
- Did you appeal, or seek leave to appeal this decision to the highest state court? I.

YES () NO ()

- (1) what was the result? (a) If yes,
 - (2) date of decision:
- (b) If no, explain briefly why not:

3. With respect to this conviction or sentence, have you flied a previous petition for habeas corpus in federal court?

YES () NO ()

A.	If yes, give name of	court, case	title and case number:			
	-		. ;	•		

B. Did the court rule on your petition? If so, state

7. Date of ruling on appeal

(1) Ruling:				
(-) 				
•			•	

(2) Date:

4. WITH RESPECT TO THIS CONVICTION OR SENTENCE, ARE THERE LEGAL PROCEEDINGS PENDING IN ANY COURT, OTHER THAN THIS PETITION?

YES (X) NO

If yes, explain: Petitioner petitioned the Illinois Supreme Court for leave to appeal dismissal of his mandambs complaint. However, that court is intentionally exploiting the exhaustion requirements of \$2254. Through indefinate delay, See attached Memo of Law.

PART III - PETITIONER'S CLAIMS

1. State briefly every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. You may attach additional pages stating additional grounds and supporting facts. If you fall to set forth all grounds in this petition, you may be barred from presenting additional grounds later.

BEFORE PROCEEDING IN THE FEDERAL COURT, YOU MUST ORDINARILY FIRST EXHAUST YOUR STATE COURT REMEDIES WITH RESPECT TO EACH GROUND FOR RELIEF ASSERTED.

(A) Ground one Reciple Petitiones that Completely and Concepts Enhanced Supporting facts (tell your story briefly without citing cases or law):

See Memo of Law

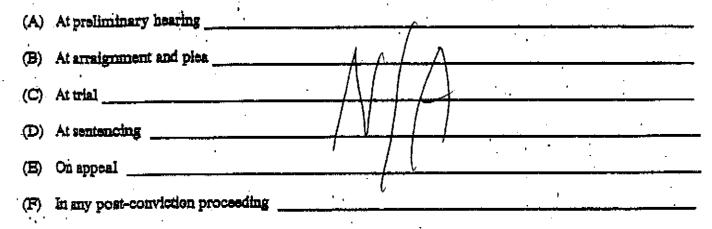
(B) Ground two. Petitiones is incascerated in vibilation of the Process Supporting facts:

	Supporting	facts:		• ,
			See Memo of Law	<u></u>
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(D)	Ground for Supporting	facts:				<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>			· <u>'</u>	<u></u>		`			,			
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PART IV - REPRESENTATION

Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:



PART V -- FUTURE SENTENCE

(C) Other (state):

Do you have any future sentence to serve following the sentence imposed by this conviction?

YES () NO (\checkmark)

Name and location of the court which imposed the sentence:

Date and length of sentence to be served in the future

WHEREFORE, petitioner prays that the court grant petitioner all relief to which he may be entitled in this proceeding.

Signed on: _7-27-08

Signature of attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct. .

(Signature of petitioner)

(I.D. Number)